

1 WEST VALLEY CITY, UTAH

2
3 ORDINANCE NO. _____

4
5 Draft Date: 06/30/2009; 7/20/2009

6 Date Adopted: _____

7 Date Effective: _____

8
9 AN ORDINANCE AMENDING SECTION 1-2-110 OF TITLE 1
10 AND SECTION 20-7-108 OF TITLE 20 OF THE WEST VALLEY
11 CITY MUNICIPAL CODE REGARDING LATE FEES FOR
12 STORM WATER UTILITY BILLINGS.
13

14 WHEREAS, the current Storm Water Utility Ordinance and Consolidated Fee Schedule do not
15 address late fees since late payments are handled by Rocky Mountain Power under the current billing
16 agreement; and
17

18 WHEREAS, the City will take over Storm Water Utility billing from Rocky Mountain Power
19 this fall; and
20

21 WHEREAS, eventually, all residential customers will be included in the in-house billing; and
22

23 WHEREAS, staff recommends amending Section 1-2-110 of Title 1 and Section 20-7-108 of
24 Title 20 to include late fees for Storm Water Utility Billings; and
25

26 WHEREAS, the City Council of West Valley City, Utah, hereby determines that it is in the best
27 interest of the citizens of West Valley City to amend Section 1-2-110 of Title 1 and 20-7-108 of Title 20
28 of the West Valley Municipal Code;
29

30 NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as
31 follows:
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33 Section 1. Repealer. Any provision of the West Valley City Code found to be in conflict with
34 this Ordinance is hereby repealed.
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36 Section 2. Amendment. Section 1-2-110 of Title 1 and Section 20-7-108 of Title 20 of the West
37 Valley City Municipal Code are hereby amended as follows:
38

39 1-2-110. PUBLIC WORKS DEPARTMENT.
40

41 (15) Storm Water Utility Fees—\$4.00 per ERU per month

42 (a) \$4.00 per ERU per month

43 (b) \$15.00 late fee

44 20-7-108. BILLING AND COLLECTION.
45

46 (1) Utility Enterprise Fund. This Ordinance creates the Storm Water Utility Fund. All
47 revenues received from storm drainage user fees shall be placed in the enterprise fund as a designated
48 fund, to be left separate and apart from all other City funds. The collection, accounting, and expenditure

of all Storm Water Utility funds shall be in accordance with the Utah Uniform Fiscal Procedures Act.

(2) **Billing.** The City shall bill, or cause to be billed, property owners for storm sewer drainage utility services. Fees and charges shall be considered delinquent if not paid as determined by the procedures established by the City and will be a debt to the City, which shall be subject to recovery in a civil action.

(3) **Late Fee Imposed.** Failure to pay the Storm Water Utility Fee within twenty (20) days of the due date shall result in a \$15.00 late fee being imposed. In the event the City takes additional action to collect unpaid storm water utility fees, additional collection and administrative fees will be imposed.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER